

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

**Idalia Sanchez**, being duly sworn, deposes and says:

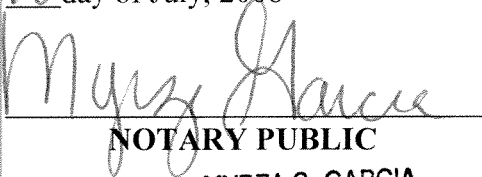
Deponent is not a party to the action, is over 18 years of age and is employed by HEIDELL, PITTONI, MURPHY & BACH, LLP.

On **July 18, 2008** deponent served the within, ***NOTICE OF MOTION*** upon the following attorneys at the addresses designated by said attorneys for that purpose by delivering a true copy of same enclosed and in a postage-paid properly addressed wrapper in an official depository under the exclusive care and custody of the ***U.S. Postal Service*** within New York State, addressed to the addressee(s) indicated below:

To: Benjamin W. Mitchell, Jr.  
#07-A-5226  
Plaintiff, *Pro se*  
Upstate Correctional Facility  
P.O. Box 2001  
309 Bare Hill Road  
Malone, New York 12953

  
**IDALIA SANCHEZ**

18<sup>th</sup> Sworn to before me this  
day of July, 2008

  
**NOTARY PUBLIC**

**MYRZA S. GARCIA**  
Notary Public, State of New York  
No. 01GA4935570  
Qualified in Bronx County  
Commission Expires Dec. 12, 2010